

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Carl L.C. KAH, III

Serial No.: 09/686,197

Filed: October 10, 2000

Confirmation No. 6102

Date: October 22, 2010

Group Art Unit: 3752

Examiner: Davis D. Hwu

For: **OPERATIONALLY CHANGEABLE MULTIPLE NOZZLES SPRINKLER**

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 22, 2010 of the Primary Examiner finally rejecting claims 1, 4-15, 20, 30 and 31.

The Appeal Fee (\$270 - Small Entity) is

☒ Submitted via EFS-WEB

☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON October 22, 2010

DAM:KJB:dlg



Keith J. Barkaus

Registration No. 51,431

OSTROLENK FABER LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700